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INTELLECTUAL PROPERTY LAW

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| MAIL STOP RCE | Kenneth F. Smalik | CENTRAL FAX CENTER |
| COMPANY: | DATE: | JUN 03 2005 |
| USPTO | June 3, 2005 | |
| FAX NO.: | TOTAL NO. OF PAGES: (including cover sheet) | |
| (703) 872-9306 | 15 | |
| YOUR REFERENCE NO.: | OUR REFERENCE (C/M) NO.: | |
| 09/868,708 | 05222.00167 | |

RE: In re: Appn. Eric Jeffrey Lannert
Appn. No. 09/868,708
Filed: October 22, 2001
For: A Goal Based System Utilizing a Time Based Model

OFFICIAL FAX

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| NAME: | PHONE: |
| Lydia Vega | 312-463-5560 |

COMMENTS:

Amendment; RCE

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PTO/E 8/21 (08-04)

Approved for use through 07/31/2008. OMB 3205-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

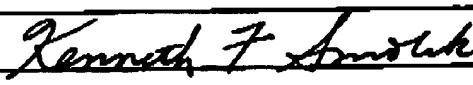
(to be used for all correspondence after initial filing)

| | | | |
|--|----|------------------------|-------------|
| Total Number of Pages In This Submission | 14 | Attorney Docket Number | 05222.00167 |
|--|----|------------------------|-------------|

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to USC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Faximile Cover Sheet |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | Request for Continued Examination |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks The Commissioner is authorized to debit or credit any overpayment or deficiency from our Deposit Account No. 15-0733. A duplicate of the fee sheet is enclosed. | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|--|----------|--------|
| Firm | Banner & Witcoff, LTD. | | |
| Signature |  | | |
| Printed Name | Kenneth F. Smolik | | |
| Date | June 3, 2005 | Reg. No. | 44,344 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-----------------------|---|------|--------------|
| Signature |  | Date | June 3, 2005 |
| Typed or printed name | P. BLANK | | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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| | | | |
|--|--|--------------------------|------------------|
| FEE TRANSMITTAL for FY 2005 | | Complete If Known | |
| | | Application Number | 09/868,708 |
| | | Filing Date | October 22, 2001 |
| | | First Named Inventor | Lannert |
| | | Examiner Name | Hirl, Joseph P. |
| TOTAL AMOUNT OF PAYMENT (\$ 910.00) | | Art Unit | 2129 |
| | | Attorney Docket No. | 005222.00167 |

METHOD OF PAYMENT (check all that apply)

- Check Credit Card Money Order None Other (please identify) : _____
- Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
- Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

Under 37 CFR 1.16 and 1.17
 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | |
|------------------|-------------|----------|-------------|----------|------------------|----------|
| | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 |
| Design | 200 | 100 | 100 | 50 | 130 | 65 |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Small Entity | Fee (\$) | Fee (\$) |
|--------------|--------------|----------|---------------|--------------|----------|----------|
| - 20 or HP= | x | = | | | 50 | 5 |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|---------------------------|----------|---------------|
| - 3 or HP= | x | = | | | 200 | 100 |

HP = highest number of independent claims paid for, if greater than 3.

06/06/2005 TL0111 00000023 190733 09868708

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | |

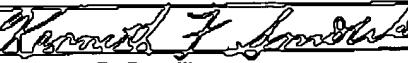
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Request for Continued Examination and One Month Extension of Time

\$910.10

SUBMITTED BY

| | | | | | |
|-------------------|---|--------------------------------------|--------|-----------|--------------|
| Signature |  | Registration No. (Attorney/Agent) | 44,344 | Telephone | 311-463-5000 |
| Name (Print/Type) | Kenneth F. Smolik | | | Date | June 3, 2005 |

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form, and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22213-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 05222.00167)

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JUN 03 2005

In re U.S. Patent Application of Lannert, et. al.)
Application No. 09/868,708) Examiner: Hirl, Joseph P
Filed: October 22, 2001) Group Art Unit: 2129
For: A GOAL BASED SYSTEM UTILIZING A)
TIME BASED MODEL)

AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the final Office Action mailed February 4, 2005 and the Advisory Action mailed April 13, 2005. This Office Action is responsive to a request for continued examination under 37 CFR §1.114. The Examiner set a three-month period for response, thus making this response due on or before May 4, 2005. The Applicant respectfully requests a one-month extension of time to file this response. The Office is authorized to charge any fees to

The Amendment section begins on page 2 and the Remarks section begins on page 7.

Please amend the application as follows.